

An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Offaly County

Planning Register Reference Number: PL2/16/27

An Bord Pleanála Reference Number: PL 19.246898

APPEAL by Rosemarie Manning care of MacCabe Durney Barnes of 20 Fitzwilliam Place, Dublin against the decision made on the 21st day of June, 2016 by Offaly County Council to grant subject to conditions a permission to Joseph Spollen and Elaine Bourke care of Frank Murray Architectural Services of Pallas Park, Blueball, Tullamore, County Offaly in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Construction of a house, garage and effluent treatment system at Ballymacwilliam, Rhode, County Offaly.

DECISION

REFUSE permission for the above proposed development based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

1. The Board was not satisfied on the basis of the documentation submitted with the application and the appeal that the applicant had established a need to build a dwelling at this particular location in the open countryside having regard to the nature of the family landholding and the availability of other family lands closer to existing settlement and services including a school etc. The Board considered that the proposed development would lead to a proliferation of houses in a rural area under development pressure and designated in the Sustainable Rural Housing Guidelines for Planning Authorities issued by the Department of Environment Heritage and Local Government in April, 2005 as being under Strong Urban influence. The proposed development would, therefore, be contrary to the policy as set out in these guidelines and would be contrary to the proper planning and sustainable development of the area.
2. Having regard to its scale and design, it is considered that the proposed dwelling would be out of character with the established rural house type in the vicinity of the site and would represent a visually incongruous feature in the surrounding rural landscape. The proposed development would, therefore, seriously injure the visual amenities of the area and be contrary to the proper planning and sustainable development of the area.

In deciding not to accept the Planning Inspector's recommendation to grant planning permission, the Board considered that on the basis of the documentation submitted with the planning application and the appeal there were alternative less sensitive sites available within the family landholding. Furthermore, the Board considered that the design of the proposed dwelling was unacceptable at this rural location and would be out of character with the established house types in the surrounding rural area.

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.